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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NGUYEN, HANH N

ART UNIT	PAPER NUMBER
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2662

DATE MAILED: 06/14/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/524,326

Applicant(s)

MORRIS, MARTIN

Examiner

Hanh Nguyen

Art Unit

2662

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on Amendment filed on 4/11/05.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,2,4-6 and 8-20 is/are rejected.
- 7) ☒ Claim(s) 3 and 7 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Specification

The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

In claims 1, 11 and 14, according to the specification, page 10, lines 5-10, the “first extended address” of a slave unit being polled is indicated by “sequence of bits in system clock”. Therefore, to be specific, it is suggested that “the first extended address” in the claims be defined as “sequence of bits in the system clock”.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

Claims 1, 2, 4-6, 8-19 are rejected under 35 USC 102(e) as being anticipated by Haartsen (Pat. 6,570, 857B1).

Referring to claims 1, 11, 14 and 17, Haartsen (Pat. 6,570, 857B1) discloses a method for communicating within a system including a master unit and one or more slave units (Abstract discloses a system having a wireless master unit and one or more slave unit), a first slave unit is assigned a member address (a temporary MAC address, col.4, lines 30-35) and a first extended address (unique identity 301, see Abstract, col.8, lines 47-53, fig.5) of a Bluetooth protocol corresponding to a selected slot in a cycle (Time division duplex is used to allow master unit and slave unit to transmit in a different slots, col.7, lines 5-15) defined by a system (col.6, lines 40-50), transmitting information from said first slave unit to said master unit during said occurrence of said selected time slot (slave unit responses in slot 503, see col. 8, ln 47-55).

Referring to claims 2, 9, 12, 13, 15 and 16, Haartsen (Pat. 6,570, 857B1), as explained in the rejection of claim 1, further discloses assigning a second , a third slave units and a second extended address, a third extended address associated with a different occurrence (slave units response in appropriate half –slots) of the selected slot (see fig.6, col.8, lines 55-65 and col.4, lines 55-65)

Referring to Claim 4, Haartsen (6,570,857 B1) discloses the step of polling said first slave unit during one of said plurality of time slots immediately preceding said occurrence of said selected time slot (col.8, lns. 48-54).

Referring to Claim 5, Haartsen ('857B1) discloses the step of polling a second slave unit during one of said plurality of time slots immediately preceding said different occurrence of said selected time slot (col.8, lns. 48-54).

Referring to Claim 6, Haartsen discloses the method of claim 1 further including the step of synchronizing the master unit, said first slave unit and said second slave unit to the system clock (master unit and slave units are synchronized at connection setup, see col.6, lines 43-48), the first extended address and the second extended address corresponding to first and second states of said system clock (fig.6, col.8, lns 52-65 discloses broadcast message 601 to all slave units A,B,C, wherein the slave units response in appropriate half slot).

Referring to Claim 10, the limitation of this claim has been addressed in claims 1, 4.

In claim 18, Haartsen et al. (Pat. '857 B1) discloses time slots are assigned in a cycle to effect TDM protocol (see col.7, lines 7-15).

In claim 19, Haartsen et al. (pat. '857B1) discloses a particular slot is used by at least two slave unit in a cycle (col.4, lines 25-40).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claim 20 is rejected under 35 U.S.C. 103(a) as being unpatentable over Haartsen et al. (Pat. 6,570,857 B1) in view of Larson et al. (Pat. 6,751,200 B1).

In claim 20, Haartsen et al. (Pat. 6,570,857 B1) does not disclose the member address comprising AM_ADDR address of bluetooth protocol. Larson et al. discloses a piconet network

(fig.1 &2) wherein a master unit of the piconet assigns a local active member address (AM_ADDR) to each active member of the piconet, (col.1, line 52 to col.2, line 7). Therefore, it would have been obvious to one ordinary skilled in the art to consider in Haartsen et al. the temporary MAC address to be the same as the local active member address (AM_ADDR) of Larson.

Allowable Subject Matter

Claims 3, 7 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is a statement of reasons for the indication of allowable subject matter:

In claim 3, the prior art does not disclose the step of determining whether less than a maximum permitted number of the slave units have been assigned to the member address, said maximum permitted number of slave units being determined by performing a division operation in which a bandwidth associated with the member address is divided by a bandwidth allocated to the first slave unit, the maximum permitted number of slave units being no greater than a quotient of the division operation.

In claim 7, the prior art does not disclose the step of determining whether a bandwidth associated with extended addresses corresponding to the member address is no less than a desired bandwidth of the first slave unit.

Conclusion


The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Haartsen et al. (Pat. 6,590,928 B1) and Van der Tuijn et al. (Pat. 6,683,886 B1).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Hanh Nguyen whose telephone number is 571 272 3092. The examiner can normally be reached on Monday-Friday from 8AM to 5PM. The examiner can also be reached on alternate

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Hassan Kizou, can be reached on 571 272 3088. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



HANH NGUYEN
PRIMARY EXAMINER